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SUBJECT: EMBASSY BRASILIA CY 2006 CLASS B REFERRAL VALIDATION STUDY

REF: (A) 04 STATE 172283, (B) 00 STATE 63463, (C) CA/FPP WEB PAGE

¶1. Summary: In July 2007, the consular section of Embassy Brasilia conducted a validation study of 475 class B Referral visas issued between January 1st, 2006 and December 31st, 2006. Results from this random sample showed that 71% returned, 2% did not return, 23% never traveled; 4% were inconclusive. We also conducted a second study of all Foreign Agriculture Service (FAS) class B Referrals. Within this smaller group, we found that 71% returned, 10% never traveled and no overstays were detected; 19% were inconclusive compared to 4% inconclusive cases in the first random sample. While we estimated a 5% overstay rate for the overall B referral survey, we only found a 2% rate. We initially believed that FAS cases were more likely to overstay, but the study proved that this assumption was incorrect as there were no confirmed overstay FAS cases. We will follow up with FAS and DHS to determine the status of the unconfirmed cases. End Summary.

¶2. Post classified the study results into four categories: confirmed return or current legal stay; confirmed overstay; never traveled and inconclusive - applicants unable to contact. We followed CA/FPP guidance in developing the study. Our target range was between January 1, 2006 and December 31, 2006 and included all 475 Class B referral visas issued during this period. Our maximum estimate of overstays was 5% and our proposed sample size was 48 with a sample interval of 10. More details on statistical methodology paragraphs 6 & 7.

#### Data Analysis General Observations

¶3. After conducting the study through telephone calls, we determined that 71% of Embassy Brasilia Class B visa Referrals used their visas appropriately leaving within six months of arrival and 23% never traveled (90% had to cancel and 10% had no intention of traveling when they applied for their visas). We confirmed that only one person overstayed, 2% and could not reach 4%. This overstay rate of 2% is less than we had estimated with our 95% confidence level (Para 6)

¶4. The overstay was a male born in 1968 who received a class B referral from FAS after previous refusals. He is a farmer who was previously refused before being referred. At both his first interview and his referred interview he claimed to be going to a The World Agriculture Expo in Tulane California. FAS confirmed that he attended the conference. We gave FAS the applicant's contact information to follow-up on his exact reason for overstay.

The second study: FAS cases

¶5. After analyzing the confirmed overstay in greater detail, post decided to conduct an investigation of all FAS referrals using the same statistical methodology. The assumption that FAS referrals might be associated with more overstays was incorrect. Post

concluded that 71% of all FAS Class B visa Referrals who were interviewed by Embassy Brasilia in 2006 left the United States within 6 months (the same percentage as the 1st random sample). We found no confirmed overstay, though we had many more inconclusive cases. There were 19% inconclusive cases in the FAS pool and only 4% in the regular class B referrals. This could be because rural phone numbers are less reliable, but we plan to work with DHS and FAS to better determine the status of these cases.

#### Methodology

¶6. Post followed CA/FPP guidance for validation surveys per reftels. We organized a spreadsheet according to the following categories: Random Number, Sample Frequency, Gender, DOB, Nationality, phone number, alternate phone number, date to call, first call date, second call date (if missed on the first), third and final call date (if missed on first two) and four result columns: confirmed overstay, confirmed return, inconclusive, and never traveled. The sample size of all Class B referrals was 48. This was calculated using a 95% confidence level (95% certain) and the worst case scenario percentage of 50% per referral.

¶7. For the second study of the FAS referrals, post calculated the random sample using a 99% confidence level with 76 referrals. After omitting cases from the original random sample and applicants under ten, 58 cases remained. Post contacted 70% of these cases to conduct the second analysis. Overall, we called 100% of the Class B visa referral holders in both random samples and reached 90% of the candidates.

#### Conclusion

¶8. The point of this validation study was to test Embassy Brasilia's assumptions regarding potential overstay rates with Class

BRASILIA 00001485 002 OF 002

B referrals. We estimated a 5% overstay rate with the initial random sample of 475 Class B referral visas, but there was only a 2% overstay rate. We also believed that FAS cases would show a higher overstay rate but found no conclusive overstays. With both validation studies, 71% of the visa applicants returned, thus proving that the majority of Class B referrals are good cases.

¶9. After examining this validation study in greater detail, consular officers at post noted the following: (a) although most referrals are good cases, they should never be guaranteed a visa; the same adjudication procedures for non-referrals should be implemented during the interview process; (b) when receiving FAS referrals, officers should ask detailed case-specific questions (i.e. number of employees on farm, precise occupation, land ownership) and obtain better contact information; (c) if referred cases were previously denied, new evidence provided in follow up interviews should be given very close attention. Post sees many farmers in our district and we will continue to work with FAS as the agricultural economy in Brazil continues to expand.

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